UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION

Criminal No. 4:99-CR-34-1H Civil No. 4:14-CV-229-H

| DUANE TRAVOEY WHITAKER, |) | |
|---------------------------|---|-------|
| Petitioner, |) | |
| v. |) | ORDER |
| UNITED STATES OF AMERICA, |) | |
| Respondent. |) | |

Having examined petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty** (**40**) days of the filing of this order.

SO ORDERED. This 18 day of December, 2014.

MALCOLM J. HOWARD

SENIOR UNITED STATES DISTRICT JUDGE